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February 7, 2024

The Honorable Jennifer L. Hall  
United States District Court  
for the District of Delaware  
844 North King Street  
Wilmington, DE 19801

*VIA ELECTRONIC FILING*

Re: *Speyside Medical, LLC v. Medtronic Corevalve, LLC et al.*,  
C.A. No. 20-361 (JLH) (CJB)

Dear Judge Hall:

We write on behalf of Plaintiff Speyside Medical (“Speyside”) to request that Your Honor set a trial date in this case.

Speyside filed this patent infringement case in March 2020. The original trial date of October 11, 2022 was adjourned when the case was stayed pending resolution of Medtronic’s *inter partes* review petitions. D.I. 155. After Medtronic’s challenges in the PTAB failed for the majority of the patents and asserted claims, the stay was lifted in October 2022 and a new trial date was set for March 11, 2024. D.I. 162, D.I. 169. The parties had agreed on a schedule and begun preparation of the pretrial order when the trial was adjourned on December 28, 2023 (D.I. 454) following Medtronic’s request that it be rescheduled for April 1, 2024 to accommodate a conflict of one of its attorneys. (D.I. 450). The case was then reassigned to Your Honor on January 8, 2024.

Speyside understands that you are in the process of scheduling a large number of cases that have recently been reassigned to Your Honor. Without a trial date on the schedule, however, Medtronic has now declined to participate in any pretrial preparation work (Ex. A [Feb 2024 email chain]).<sup>1</sup> Given Medtronic’s position, and the fact that this case has been pending for nearly four

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<sup>1</sup> Medtronic contends that it does not want to engage in any pretrial exchanges because “the parties are awaiting several significant pre-trial rulings.” Ex. A. That was the case, however,

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years, Speyside respectfully asks the Court to set a schedule for both the trial date and the pre-trial exchange schedule.

Speyside is available at the Court's convenience to discuss this matter.

Respectfully,

*/s/ Brian P. Egan*

Brian P. Egan (#6227)

BPE/bac

Attachment

cc: Clerk of the Court (via hand delivery; w/attachment)  
All Counsel of Record (via electronic mail; w/attachment)

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when the parties agreed to a pretrial exchange schedule in December 2023. The pendency of summary judgment and *Daubert* motions is not a reason not to work to get this case trial ready.